



17W

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

In re Application of: Foerster et al.

Group Art Unit: 3768

Serial No.: 09/954,646

Examiner: Rozanski

Filed : 09/18/2001

Title : METHODS FOR DEFINING AND MARKING TISSUE

Transmitted herewith is an amendment in the above-identified application.

___ Small entity status of this application under 37 CFR 1.27 has been established.

___ Power of Attorney.

___ Please charge additional claim fees to Deposit Account No. 01-2221.

X Any additional extension and/or fees may be charged to Deposit Account No. 01-2221.

X No additional fee is required.
The fee has been calculated as shown below:

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments)-If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply
(complete (A) or (B) as applicable)

A. ___ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<u>Extension (Months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
___ one month	\$ 120.00	\$ 60.00
___ two months	450.00	225.00
___ three months	1,020.00	510.00
___ four months	2,160.00	795.00

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

___ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

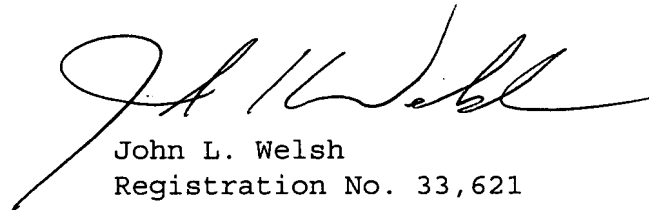
Extension fee due with this request \$_____

OR

B. X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra		SMALL	AMOUNT
Total Claims	12	33	0	X	\$ 0.00	\$ 0.00
Independent	2	5	0	X	\$ 0.00	\$ 0.00
() Multiple dependent claim fee					\$ 0.00	\$
CHECK ENCLOSED						\$ 0.00

Respectfully submitted,


John L. Welsh
Registration No. 33,621

WELSH & FLAXMAN LLC
2000 Duke Street, Suite 100
Alexandria, VA 22314
(703) 920-1122
Docket No. END-777



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Foerster et al.

Group Art Unit: 3768

Serial No.: 09/954,646

Examiner: Rozanski, Michael T.

Filed : 09/18/2001

Title : METHODS FOR DEFINING AND MARKING TISSUE

AMENDMENT

Mail Stop AF Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the outstanding Office Action of July 30, 2007, kindly amend the present application as follows:

Amendments to the Claims begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.